

Senate Study Bill 1262

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CO=CHAIRPERSON HORN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the licensure of gambling treatment programs.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 2935SC 81
4 jr/pj/5

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1 1 Section 1. NEW SECTION. 135.151 GAMBLING TREATMENT
1 2 PROGRAM LICENSING == STATEMENT OF PURPOSE.
1 3 The purpose of the gambling treatment licensing program is
1 4 to provide for the development, establishment, and enforcement
1 5 of basic standards for the establishment and operation of
1 6 gambling treatment programs which will ensure that persons who
1 7 experience problems related to legalized gambling receive
1 8 quality treatment and are directed into rehabilitation
1 9 services that will assist them in resuming a productive role
1 10 in society.
1 11 Sec. 2. NEW SECTION. 135.152 GAMBLING TREATMENT PROGRAMS
1 12 LICENSED == RULEMAKING.
1 13 1. A person shall not maintain or conduct a gambling
1 14 treatment program without having first obtained a written
1 15 license for the program from the department.
1 16 2. The department shall issue a license to an applicant
1 17 whom the department determines meets the licensing
1 18 requirements of this section. Licenses shall expire no later
1 19 than three years from the date of issuance and shall be
1 20 renewed upon timely application made in the same manner as for
1 21 initial issuance of a license unless notice of nonrenewal is
1 22 given to the licensee at least thirty days prior to the
1 23 expiration of the license. The department shall not charge a
1 24 fee for licensing or renewal of programs contracting with the
1 25 department for provision of treatment services. A fee may be
1 26 charged to other licensees, as established by rule, in an
1 27 amount sufficient to reimburse the department for the costs of
1 28 administering the licensing program.
1 29 3. The department shall adopt rules to establish standards
1 30 for the licensing and operation of gambling treatment programs
1 31 licensed under this section. The rules shall include, but not
1 32 be limited to, the qualifications for persons providing
1 33 gambling treatment services, standards for the organization of
1 34 gambling treatment programs and the administration of the
1 35 programs, and a mechanism to monitor compliance with this
2 1 section and the rules adopted by the department pursuant to
2 2 this section.
2 3 Sec. 3. NEW SECTION. 135.153 INSPECTIONS.
2 4 The department may inspect a gambling treatment program and
2 5 review the procedures utilized by the program to ensure
2 6 compliance with section 135.152 and the rules adopted pursuant
2 7 to that section. Inspection and review may include case
2 8 record audits and interviews with staff and patients,
2 9 consistent with the confidentiality requirements of state and
2 10 federal law.
2 11 Sec. 4. NEW SECTION. 135.154 TRANSFER OF LICENSE OR
2 12 CHANGE OF LOCATION PROHIBITED.
2 13 A license issued under section 135.152 shall not be
2 14 transferred, and the location of the physical facilities
2 15 occupied or utilized by a licensed gambling treatment program
2 16 shall not be changed without the prior written consent of the
2 17 department.

2 18 Sec. 5. NEW SECTION. 135.155 LICENSE SUSPENSION OR
2 19 REVOCATION == HEARING.
2 20 1. Violation of any of the requirements or restrictions of
2 21 sections 135.152 through 135.154 or of any rules adopted
2 22 pursuant to those sections is cause for suspension,
2 23 revocation, or refusal to renew a license.
2 24 2. If a licensee makes a written request for a hearing
2 25 within thirty days of suspension, revocation, or refusal to
2 26 renew a license, a contested case hearing shall be
2 27 expeditiously arranged by the department of inspections and
2 28 appeals whose decision is subject to review by the director.
2 29 A copy of the decision shall be promptly transmitted to the
2 30 affected licensee who may, if aggrieved by the decision, seek
2 31 judicial review of the actions of the director in accordance
2 32 with chapter 17A.

2 33 EXPLANATION

2 34 This bill requires the Iowa department of public health to
2 35 administer a licensing procedure for gambling treatment
3 1 programs. No person may operate a gambling treatment program
3 2 without a license, which can be renewed on a three-year basis.
3 3 The department is required to adopt administrative rules to
3 4 establish standards for the licensing and operation of the
3 5 programs. The rules shall include, but not be limited to, the
3 6 qualifications for persons providing gambling treatment
3 7 services, standards for program organization, and a mechanism
3 8 to monitor compliance.
3 9 The bill empowers the department to inspect and review any
3 10 program. The department may suspend or revoke a license for
3 11 violation of any of the requirements or restrictions set out
3 12 in the bill or of any of the rules promulgated by the
3 13 department. That action may be challenged through the
3 14 contested case process.
3 15 LSB 2935SC 81
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